

[7th March, 2001]

RAJYA SABHA

for this purpose the relevant articles of the Constitution of India may be amended. The Committee also recommended that a National Judicial Commission including one member from Scheduled Caste and one member from Scheduled Tribe be set up early to deal with the appointment, transfer and administration of the Judges of the High Courts and the Supreme Court of India.

2. Appointment of Judges of the Supreme Court of India and High Courts is made under articles 124 and 217 of the Constitution respectively which do not provide for reservation for any caste or class of persons. The Central Government has, however, been writing to the Chief Ministers of the States and the Chief Justices of the High Courts, from time to time, requesting them to locate suitable persons from the Bar belonging to the Scheduled Castes, Scheduled Tribes, other Backward Classes, Minorities and Women for appointment as High Court Judges.

3. One of the items of the National Agenda for Governance of the National Democratic Alliance is to set up a National Judicial Commission which would, *inter alia*, recommend judicial appointments in the High Courts and the Supreme Court of India. The proposal would require constitutional amendment.

#### **Consensus on Women's Bill**

1072. SHRI C.M. IBRAHIM: Will the Minister of LAW, JUSTICE AND COMPANY AFFAIRS be pleased to state:

(a) what efforts have been made during the last three months to bring about a consensus among the different political parties represented in the Lok Sabha with regard to the Constitution (86th Amendment) Bill, popularly known as the 'Women's Bill' to provide for due representation of Women in Legislatures; and

(b) the outcome of these efforts, indicating the amendments and modifications, if any, to be made in the Bill?

THE MINISTER OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI ARUN JAITLEY): (a) and (b) In consonance with its commitment to empower the women and as agreed to in principle, by most of the political parties in the meeting of leaders of parties/Groups in Parliament on 22.12.99 chaired by the Prime Minister, the Government introduced on 23.12.1999 the Constitution (Eighty-fifth Amendment) Bill, 1999, seeking to provide that as nearly as one-third of the seats shall be reserved for women in the House of the People and Legislative Assemblies of States.

Though the notices for consideration and passing were given in the Budget Session, 2000 and Monsoon Session 2000, the Bill did not come up for consideration and passing in that House due to absence of consensus on the issue. Meanwhile, the Election Commission of India in an all party meeting called on 29.4.2000, among other proposals for electoral reforms, discussed the subject of 'Representation of Women in Parliament and State Legislatures'. The proposal mooted by the Commission, which envisaged that the parties will put up the minimum agreed percentage of women candidates in order to continue to retain their recognition with the Election Commission, was also not able to generate the consensus. In order to hold discussion on the provisions of the aforesaid Bill, the Bill was listed for consideration and passing in that House on 21.12.2000 and 22.12.2000 during the Winter Session, 2000, but could not be considered. Thus the Government made sincere efforts to debate and discuss the Bill in the Houses of Parliament and to evolve consensus among all the Political Parties. However, consensus has continued to elude. The Government has done its duty by introducing the necessary legislation and it has an open mind on any suggestions which may come from the Hon'ble Members.

#### **Setting up of Welfare Fund for Lawyers**

1073. DR. ALLADI P. RAJKUMAR: Will the Minister of LAW, JUSTICE AND COMPANY AFFAIRS be pleased to State:

(a) whether the Government propose to set up a welfare fund for lawyers in distress;

(b) if so, the details in this regard; and

(c) by when this fund is likely to be set up?

THE MINISTER OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI ARUN JAITLEY): (a) to (c) The matter concerning setting up of a welfare fund for lawyers is under consideration of the Government. It is, however, difficult to indicate any definite time-frame within which the said fund may be set up, since the same involves various steps, including inter-departmental consultation.

#### **Fast Track Exit Scheme**

1074. SHRI K.B. KRISHNA MURTHY: Will the Minister of LAW, JUSTICE AND COMPANY AFFAIRS be pleased to State:

(a) whether the Fast Track Exit Scheme of the Company Law Board has turned out to be a failure, even after extending several times;